

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office DEC 22 1981

Returned to applicant for correction APR 5 1982

Corrected application filed APR 13 1982 Map filed APR 13 1982

The applicant BERNARD S. and BETTY JOE CANNON

Highway 40 West of Winnemucca

Street and No. or P.O. Box No.

City or Town

Nevada 89445 hereby make application for permission to change the

State and Zip Code No.

Point of Diversion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit Number 36208

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is underground.

Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 1.35 c.f.s.

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for irrigation and domestic

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for irrigation and domestic

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, T.40N.,

Describe as being within a 40-acre subdivision of public survey and by course and

R.38E., M.D.B.&M., or at a point from which the West $\frac{1}{4}$ corner of said Section 35

distance to a section corner. If on unsurveyed land, it should be stated.

bears N35 $^{\circ}$ 36'W 2,762'.

6. The existing permitted point of diversion is located within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, T.40N.,

If point of diversion is not changed, do not answer.

R.38E., M.D.B.&M., or at a point from which the West $\frac{1}{4}$ corner of said Section

35 bears N45 $^{\circ}$ W 3,135'.

7. Proposed place of use SW $\frac{1}{4}$ of Section 35, T.40N., R.38E., M.D.B.&M. 160 acres,

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

more or less.

8. Existing place of use SW $\frac{1}{4}$ of Section 35, T.40N., R.38E., M.D.B.&M. 160 acres,

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

more or less.

manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1st to December 31st of each year.

Month and Day

Month and Day

10. Use was permitted from January 1st to December 31st of each year.

Month and Day

Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Well, pump and irrigation system.

State manner in which water is to be diverted, i.e. diversion structure, ditches,

pipes and flumes, or drilled well, etc.

12. Estimated cost of works In excess of \$1,000.00.

13. Estimated time required to construct works Complete. See well log filed under Permit #36208.

14. Estimated time required to complete the application of water to beneficial use Complete

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This Application is being filed because the point of diversion is over 300' from the existing point of diversion. Please use Map filed under Proof of Beneficial Use for Permit Number 36208.

JOHN H. MILTON, III, R.L.S., S.W.R.S., AGENT
By s/John H. Milton III
146 West Second Street
Winnemucca, Nevada 89445-3493

Compared js/bl br/bl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 36208 is issued subject to the terms and conditions imposed in said Permit 36208 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The place of use of this permit is limited to 113.9 acres as shown on the Proof of Beneficial Use submitted under Permit 36208 on December 22, 1981. The issuance of this permit totally abrogates Permit 36208.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.35 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before July 14, 1983

Proof of completion of work shall be filed before August 14, 1983

Application of water to beneficial use shall be made on or before November 4, 1984

Proof of the application of water to beneficial use shall be filed on or before December 4, 1984

Map in support of proof of beneficial use shall be filed on or before December 4, 1984

Completion of work filed AUG 19 1983

Proof of beneficial use filed DEC 21 1984

Cultural map filed DEC 21 1984

Certificate No. 11201 Issued JUN 13 1985

IN TESTIMONY WHEREOF, I, PETER G. MORROS,
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 14th day of FEBRUARY

A.D. 19 83


State Engineer